

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

**IN RE: CHARLES RAYMOND WOODS,
DBA RAY'S GUN SHOP,
DEBTOR.**

**CASE NO.: 13-03795-8-RDD
CHAPTER 7**

MOTION BY DEBTOR FOR REDEMPTION

Now comes the Debtor by and through counsel undersigned and shows unto the court as follows:

1. At the time of the filing of Debtor's Petition under Chapter 7 of the Bankruptcy Code the Debtor owned, and still owns, the following personal property: Yamaha Rhino off-road 4x4 utility vehicle (hereinafter "collateral").
2. Capital One Retail Services, a Creditor scheduled in this action (hereinafter "Creditor"), claims a security interest in the above-described collateral securing an indebtedness of approximately \$9,340.00. Such indebtedness is a consumer debt.
3. The value of the collateral, and therefore the value of the Creditor's interest, if any, in the same is no greater than \$1,500.00.
4. Creditor, upon information and belief, has filed a proof of claim in this Chapter 7 case, or in the alternative, has provided Debtor with proof of its security interest.
5. At all pertinent times the Debtor has used the collateral for primarily personal and family purposes.
6. The Trustee has abandoned any claim to the said collateral pursuant to 11 U.S.C. 544.
7. Debtor desires to exercise debtor's right to redeem the said collateral from the lien, if any, of the Creditor.

WHEREFORE, the debtor prays that the value of said collateral be determined and that the Court order Creditor to release its security interest therein upon the Debtor's payment to it of the amount of its allowed secured claim, and that Debtor has such other and further relief as the Court may deem just and proper.

DATED: 9/ 3/13.

/s/Bevin W. Wall
Bevin W. Wall; State Bar # 16191
Attorney for Debtor
Post Office Drawer 310
7025 Highway 70 E., Suite F
Newport, NC 28570
Telephone: (252) 223-4411

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DATED: 9/ 3/13.

/s/Charles Raymond Woods
Charles Raymond Woods, Debtor

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NOTICE OF MOTION FOR REDEMPTION

The Debtor has filed papers with the court to for redemption of personal property.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the motion for redemption, or if you want the court to consider your views on the motion, then on or before September 20, 2013, unless otherwise ordered, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

Clerk, U.S. Bankruptcy Court
Eastern District of North Carolina
1760-A Parkwood Boulevard
Wilson, NC 27893-3564

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to: the debtor, the debtor's attorney, the Trustee, the Bankruptcy Administrator, and all parties in interest.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: 9/ 3/13.

/s/Bevin W. Wall
Bevin W. Wall; State Bar #16191
Attorney for Debtor
7025 Highway 70, Suite F
Post Office Drawer 310
Newport, NC 28570
Telephone: (252) 223-4411
Fax: (252) 223-5104

CERTIFICATE OF SERVICE

I, BEVIN W. WALL of P.O. Box 310, Newport, NC 28570, do certify that I am and was at all times hereinafter referred to more than eighteen (18) years of age; and that I have this day served the foregoing Motion for Redemption, and Notice thereof, on the trustee, the bankruptcy administrator and all parties interest by depositing a copy of same in the United States Mail, first class postage prepaid (certified mail where required) and addressed as follows:

George M. Oliver, Esq.
Chapter 7 Trustee
Post Office Box 1548
New Bern, NC 28563

Marjorie K. Lynch, Esq.
Bankruptcy Administrator
1760-B Parkwood Blvd.
Wilson, NC 27893

Capital One Retail Services
Attn: Managing Agent
P.O. Box 5893
Carol Stream, IL 60116-7680

Bass & Associates
Attn: Managing Agent
3936 E. Fort Lowell Rd, Ste 200
Tucson, AZ 85712-1083

Capital One Auto Finance
Attn: Managing Agent
3901 Dallas Pkwy
Plano, TX 75093

BY CERTIFIED MAIL:

Capital One/Yamaha
Officer
26525 N. Riverwoods Blvd.
Mettawa, IL 60045

Capital One Bank
Officer
P.O. Box 30273
Salt Lake City, UT 84130-0273

Dated: 9/ 3/13.

/s/Bevin W. Wall.
Bevin W. Wall; State Bar # 16191
Attorney for Debtor